

AFFIDAVIT

I, John Oliveira, being duly sworn, depose and say as follows:

1. I am a Detective with the Somerville Police Department. I have been employed as an Officer with the Somerville Police for the past fourteen years, the last eight years as a Detective. I have been assigned to the FBI Violent Crimes Task Force ("Task Force") since June of 2008. . As such, I have been sworn in as a Special Deputy U.S. Marshall. The Task Force comprises personnel from the FBI; several local police departments; and the Massachusetts State Police. During my tenure as a law enforcement officer, both with the Somerville Police Department and the Task Force, I have participated in numerous bank robbery investigations.
2. I am aware that Title 18 of the United States Code, Section 2113(a), makes it a crime for anyone to use force and violence, or intimidation, to take or attempt to take from the person or presence of another, money belonging to or in the care, custody, control, management, or possession of any federally insured bank, and that Title 18 of the United States Code, Section 2113(d), provides that whoever, in committing or attempting to commit a violation of Section 2113(a) assaults any person or puts in jeopardy the life of any person by the use of a dangerous weapon or device is subject to increased penalties. Having so said, I make this affidavit in support of a criminal complaint charging (1) **William DeVincenzi** and (2) **Theodore Sawtelle** with an attempted armed robbery of Bank of America, 104 Canal Street, Boston, Massachusetts, 02128 on March 9, 2011.
3. The facts stated herein are based on my personal knowledge, as well as information provided to me by witnesses and other law enforcement officers involved in the investigation and from reviewing evidence, such as bank surveillance images. In submitting this affidavit, I have

not included each and every fact known to me about this investigation, but only those facts which are necessary to establish the requisite probable cause.

PRIOR BANK ROBBERIES

EAST BOSTON SAVINGS BANK

4. On March 3, 2011, a white male, later described as being in his 40's with facial hair, approximately 5'7 to 5'9, entered the East Boston Savings Bank, located at 1755 Revere Beach Parkway, Everett, MA. The subject was wearing a brown leather jacket, dark baseball cap, sunglasses and a gray scarf. The subject approached the teller and placed a manilla accordion-style envelope on the counter. At the same time, the subject presented a handwritten demand note. The subject reached into the envelope and removed a device described as a pipe bomb. This item, later recovered in the bank by law enforcement, consisted of a metal pipe with a phone charger wire on one end and containing unknown brown liquid. Preliminary analysis by bomb technicians from the Massachusetts State Police and FBI have determined that the item was inert and incapable of exploding. The subject the teller that if the teller did not comply with his demand for cash in the amounts of \$50's and \$100's, he would detonate the bomb, referring to the item he had placed on the counter. The teller grabbed a dye pack and an undetermined amount of money and handed to the subject. The subject took the money and left the bomb on the counter. As he left the bank, the subject used a small piece of plywood to prop open the inner door to the bank and exited through the outer door.¹ He fled on foot in an unknown direction.

¹It is believed that the subject was concerned that he would not be able to exit the bank due to the recently publicized use of what are referred to as "man traps." A "man trap" is described as a device activated by bank employees which captures someone exiting the bank between the inner and outer doors.

The money was later recovered by the Everett Police Department in a manilla envelope with the dye pack which had activated.

BANK OF AMERICA

5. On March 4, 2011, a white male entered the Bank of America located at 25 Bartlett Road, Winthrop, MA. The subject was wearing a white baseball cap, brown leather jacket, black scarf, sunglasses, black gloves, carrying a dark-colored accordion-style binder.

6. The subject approached a teller, removed what was described as a four-inch pipe bomb with wires protruding and tape wrapped around the item from the manilla envelope. He placed the item on the counter and he handed the teller a note stating: "I have a bomb. Slide the money thought [sic] and no one gets hurt." The subject reached across the teller window and grabbed the money sitting on the desk. The teller attempted to retrieve the money. The subject stated: "Don't be funny. Give me the rest of your money. No dye packs." The teller gave the subject \$3,843.00 in cash and the subject fled through the back door of the bank. The subject took the bomb with him this time. Again, he propped open the inner door as he fled, using a small piece of plywood.

SURVEILLANCE OF SUBJECTS ON MARCH 8, 2011

7. As a result of information received through an agent from Alcohol, Tobacco and Firearms ("ATF"), the law enforcement investigation obtained information regarding **DeVincenzi** as a possible suspect living at 873 Saratoga Street, East Boston.

8. Surveillance was conducted and on Monday, March 8, 2011, **DeVincenzi** was observed leaving his residence. He was observed wearing a red and black flannel jacket, a dark knit cap and carrying a small plastic bag. He also carried a blue windbreaker over his right arm.

He was later observed meeting an individual later identified as **Sawtelle**. Both were observed walking to the Walgreens drug store located at Maverick Center on Meridian Street, East Boston. **DeVincenzi** was observed entering the store while **Sawtelle** remained outside speaking on a cell phone. When **DeVincenzi** exited the store, he was observed carrying a bright green accordion-style envelope. He and **Sawtelle** entered the Maverick Square "T" station. Both individuals continued on until the Haymarket "T" station. They exited the "T" and were observed crossing New Chardon Street onto Friend Street. Once on Friend Street, **DeVincenzi** handed the cup of coffee he was carrying to **Sawtelle** and put a blue windbreaker on over the flannel jacket he was wearing. **DeVincenzi** put on a dark pair of sunglasses and donned a pair of black gloves. He then appeared to place something from his waistband area into the envelope. As he did so, I was able to observe that the items had black wires. He then put the envelope under his arm and proceeded to walk to the intersection of Friend Street and Valenti Street. Both individuals came to an abrupt stop as they observed a Boston Police Officer on a paid detail at that location. Both turned around and headed back in the same direction from which they came. At that time, **DeVincenzi** removed his hat, sunglasses, outer jacket and gloves. He then began removing what was later identified as clear tape with gauze which was on right hand.² Both individuals headed into the "T" station and surveillance concluded at that point.

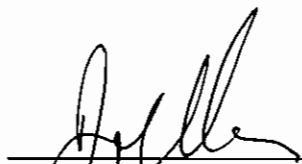
9. Law enforcement officers established surveillance on **DeVincenzi** at approximately 6 a.m. at his residence in East Boston. He was observed exiting his residence at 8:20 a.m.. He was observed wearing a red and black flannel jacket, blue jeans and black sneakers. He also carried a

²**DeVincenzi** later admitted that he used this tape to cover a tattoo.

blue windbreaker over his right arm. **DeVincenzi** subsequently met **Sawtelle** at the Maverick MBTA station in East Boston. The two then traveled by MBTA train to the Haymarket section of Boston. Both individuals walked for period of time, and, on Friend Street, **DeVincenzi** put on the blue windbreaker jacket, a black knit cap, sunglasses, and black gloves. At that point, he was observed with a green accordion-style folder. Both defendants then proceed to the intersection of Friend Street at Valentine. This location was approximately 20 yards from a Bank of America branch located at 104 Canal Street; this bank is federally insured by the FDIC. Both defendants were then apprehended at that location.

10. Following their arrest, both defendants were advised of their *Miranda* rights, and both agreed to speak with law enforcement officers. **DeVincenzi** possessed in the green file an inert pipe bomb. Both individuals were interviewed separately. Both individuals subsequently admitted that they were going to commit a robbery at the above-referenced Bank of America branch, and **DeVincenzi** admitted that he intended to use the inert pipe bomb to commit the robbery of the bank. **DeVincenzi** admitted to committing the two bank robberies noted above (March 3 and March 4).

11. Based upon the above, I believe that there is probable cause to believe that the defendants violated 18 U.S.C. Sections 2113(a) and (d) by attempting to commit the robbery of the Bank of America branch through the use of an inert pipe bomb.



Detective John Oliveira
Task Force Officer

MAR - 9 2011

SUBSCRIBED and SWORN to before me on March ____, 2011.



HON. ROBERT B. COLLINGS
UNITED STATES MAGISTRATE JUDGE